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AMENDED IN ASSEMBLY JUNE 23, 2016
AMENDED IN ASSEMBLY JUNE 1, 2016
AMENDED IN ASSEMBLY APRIL 26, 2016
AMENDED IN ASSEMBLY APRIL 13, 2016
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CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2444

Introduced by Assembly Member Eduardo Garcia
(Principal coauthors: Assembly Members Alejo and Levine)
~~(Coauthor: Coauthors: Assembly Member Levine Members Eggman,~~
Gonzalez, and McCarty)

February 19, 2016

An act to add Chapter 14 (commencing with Section 5880) to Division 5 of the Public Resources Code, relating to a parks, water, climate, and coastal protection and outdoor access for all program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2444, as amended, Eduardo Garcia. California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2016.

Under existing law, programs have been established pursuant to bond acts for, among other things, the development and enhancement of state and local parks and recreational facilities.

This bill would enact the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2016, which, if approved by the voters, would authorize the issuance of bonds in ~~the~~ *an unspecified* amount of \$3,120,000,000 pursuant to the State General Obligation Bond Law to finance a parks, water, climate, and coastal protection and outdoor access for all program.

The bill would provide for the submission of these provisions to the voters at the November 8, 2016, statewide general election.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Chapter 14 (commencing with Section 5880) is added to Division 5 of the Public Resources Code, to read:

CHAPTER 14. CALIFORNIA PARKS, WATER, CLIMATE, AND
COASTAL PROTECTION AND OUTDOOR ACCESS FOR ALL ACT OF
2016

Article 1. General Provisions

5880. (a) The people of California find and declare all of the following:

(1) From California's beautiful rivers, streams, coastal shorelines, and other waterways, to our federal, state, local, and regional parks and outdoor settings, to our vast network of trails connecting people with natural landscapes, Californians value the rich diversity of outdoor experiences afforded to this state and its citizens.

(2) Demand for local parks has exceeded available funding by a factor of 8 to 1, with particularly high demand in urban, disadvantaged communities.

(3) Many Californians across the state lack access to safe parks, trails, and recreation areas, which limits their ability to experience

1 the outdoors, improve their physical and emotional health, exercise,
2 and connect with their communities.

3 (4) Investments to create and improve parks and recreation
4 areas, and to create trail networks that provide access from
5 neighborhoods to parks and recreational opportunities, will help
6 ensure all Californians have access to safe places to exercise and
7 enjoy recreational activities.

8 (5) The California Center for Public Health Advocacy estimates
9 that inactivity and obesity cost California over forty billion dollars
10 (\$40,000,000,000) annually, through increased health care costs
11 and lost productivity due to obesity-related illnesses, and that even
12 modest increases in physical activity would result in significant
13 savings. Investments in infrastructure improvements such as biking
14 and walking trails and pathways, whether in urban or natural areas,
15 are cost-effective ways to promote physical activity.

16 (6) Continued investments in the state's parks, trails, and natural
17 resources, and greening urban areas will help mitigate the effects
18 of climate change, making cities more livable, and will protect
19 California's natural resources for future generations.

20 (7) California's outdoor recreation economy represents an
21 eighty-seven-billion-dollar (\$87,000,000,000) industry, providing
22 over 700,000 jobs and billions of dollars in local and state revenues.

23 (8) California's state, local, and regional park system
24 infrastructure and national park system infrastructure is aging and
25 a significant infusion of capital is required to protect this
26 investment.

27 (9) There has been a historic underinvestment in parks, trails,
28 and outdoor infrastructure in disadvantaged areas and many
29 communities throughout California.

30 (10) Tourism is a growing industry in California and remains
31 an economic driver for the more rural parts of the state.

32 (b) It is the intent of the people of California that all of the
33 following shall occur in the implementation of this chapter:

34 (1) The investment of public funds pursuant to this chapter will
35 result in public benefits that address the most critical statewide
36 needs and priorities for public funding.

37 (2) In the appropriation and expenditure of funding authorized
38 by this chapter, priority will be given to projects that leverage
39 private, federal, or local funding or produce the greatest public
40 benefit.

(3) To the extent practicable, a project that receives moneys pursuant to this chapter will include signage informing the public that the project received funds from the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2016.

(4) To the extent practicable, when developing program guidelines for urban recreation projects and habitat protection or restoration projects, administering entities are encouraged to give favorable consideration to projects that provide urban recreation and protect or restore natural resources. Additionally, the entities may pool funding for these projects.

5880.01. The following definitions govern the construction of this chapter:

(a) “Committee” means the California Parks, Water, Climate, Coastal Protection, and Outdoor Access For All Finance Committee created by Section 5889.02.

(b) “Department” means the Department of Parks and Recreation.

(c) “Disadvantaged community” has the same meaning set forth in subdivision (g) of Section 75005.

(d) “Fund” means the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Fund, created by Section 5880.08.

(e) “Interpretation” includes, but is not limited to, a visitor-serving amenity that enhances the ability to understand and appreciate the significance and value of natural, historical, and cultural resources and that may utilize educational materials in multiple languages, digital information, and the expertise of a naturalist or other skilled specialist.

(f) “Preservation” means rehabilitation, stabilization, restoration, development, and reconstruction, or any combination of those activities.

(g) “Protection” means those actions necessary to prevent harm or damage to persons, property, or natural, cultural, and historic resources, actions to improve access to public open-space areas, or actions to allow the continued use and enjoyment of property or natural, cultural, and historic resources, and includes acquisition, development, restoration, preservation, and interpretation.

(h) “Restoration” means the improvement of physical structures or facilities and, in the case of natural systems and landscape

1 features, includes, but is not limited to, projects for the control of
2 erosion, the control and elimination of exotic species, removal of
3 waste and debris, prescribed burning, fuel hazard reduction, fencing
4 out threats to existing or restored natural resources, road
5 elimination, and other plant and wildlife habitat improvement to
6 increase the natural system value of the property. Restoration
7 projects shall include the planning, monitoring, and reporting
8 necessary to ensure successful implementation of the project
9 objectives.

10 (i) “Severely disadvantaged community” has the same meaning
11 set forth in subdivision (g) of Section 75005.

12 5880.02. An amount that equals not more than 5 percent of the
13 funds allocated for a grant program pursuant to this chapter may
14 be used to pay the administrative costs of that program.

15 5880.03. (a) Except as provided in subdivision (b), up to 10
16 percent of funds allocated for each program funded by this chapter
17 may be expended for planning and monitoring necessary for the
18 successful design, selection, and implementation of the projects
19 authorized under that program. This section shall not otherwise
20 restrict funds ordinarily used by an agency for “preliminary plans,”
21 “working drawings,” and “construction” as defined in the annual
22 Budget Act for a capital outlay project or grant project. Planning
23 may include feasibility studies for environmental site cleanup that
24 would further the purpose of a project that is eligible for funding
25 under this chapter.

26 (b) Funds used for planning projects that benefit disadvantaged
27 communities may exceed 10 percent of the funds allocated if the
28 state agency administering the moneys determines that there is a
29 need for the additional funding.

30 5880.04. (a) At least 20 percent of the funds available pursuant
31 to each article of this chapter shall be allocated for projects serving
32 severely disadvantaged communities.

33 (b) Except as provided in subdivision (c), up to 10 percent of
34 the funds available pursuant to each article of this chapter may be
35 allocated for technical assistance to disadvantaged communities.
36 The agency administering the moneys shall operate a
37 multidisciplinary technical assistance program for disadvantaged
38 communities.

39 (c) Funds used for providing technical assistance to
40 disadvantaged communities may exceed 10 percent of the funds

1 allocated if the state agency administering the moneys determines
2 that there is a need for the additional funding.

3 5880.05. Before disbursing grants pursuant to this chapter,
4 each state agency that receives funding to administer a competitive
5 grant program under this chapter shall do the following:

6 (a) Develop and adopt project solicitation and evaluation
7 guidelines. The guidelines shall include monitoring and reporting
8 requirements and may include a limitation on the dollar amount
9 of grants to be awarded. If the state agency has previously
10 developed and adopted project solicitation and evaluation
11 guidelines that comply with the requirements of this subdivision,
12 it may use those guidelines.

13 (b) Conduct three public meetings to consider public comments
14 before finalizing the guidelines. The state agency shall publish the
15 draft solicitation and evaluation guidelines on its Internet Web site
16 at least 30 days before the public meetings. One meeting shall be
17 conducted at a location in northern California, one meeting shall
18 be conducted at a location in the central valley of California, and
19 one meeting shall be conducted at a location in southern California.

20 (c) Submit the guidelines to the Secretary of the Natural
21 Resources Agency. The Secretary of the Natural Resources Agency
22 shall verify that the guidelines are consistent with applicable
23 statutes and for all the purposes enumerated in this chapter. The
24 Secretary of the Natural Resources Agency shall post an electronic
25 form of the guidelines submitted by state agencies and the
26 subsequent verifications on the Natural Resources Agency's
27 Internet Web site.

28 (d) Upon adoption, transmit copies of the guidelines to the fiscal
29 committees and the appropriate policy committees of the
30 Legislature.

31 5880.06. (a) The Department of Finance shall provide for an
32 independent audit of expenditures pursuant to this chapter. The
33 Secretary of the Natural Resources Agency shall publish a list of
34 all program and project expenditures pursuant to this chapter not
35 less than annually, in written form, and shall post an electronic
36 form of the list on the agency's Internet Web site.

37 (b) If an audit, required by statute, of any entity that receives
38 funding authorized by this chapter is conducted pursuant to state
39 law and reveals any impropriety, the California State Auditor or

1 the Controller may conduct a full audit of any or all of the activities
2 of that entity.

3 (c) The state agency issuing any grant with funding authorized
4 by this chapter shall require adequate reporting of the expenditures
5 of the funding from the grant.

6 5880.07. ~~A~~*To the extent feasible, a project whose application*
7 *includes the use of services of the California Conservation Corps*
8 *or Corps, certified community conservation corps, as defined in*
9 *Section 14507.5, or other nonprofit entities that provide job*
10 *training and education opportunities for veterans, foster care*
11 *recipients, farmworkers, or local youth in conservation or*
12 *restoration projects shall be given preference for receipt of a grant*
13 *under this chapter whenever feasible. chapter.*

14 5880.075. ~~A~~*To the extent feasible, a project that includes water*
15 *efficiencies, stormwater capture, or carbon sequestration features*
16 *in the project design may be given priority for grant funding under*
17 *this chapter whenever feasible. chapter.*

18 5880.076. *Moneys allocated pursuant to this chapter shall not*
19 *be used to fulfill any mitigation requirements imposed by law.*

20 5880.077. (a) *To the extent feasible in implementing this*
21 *chapter and except as provided in subdivision (b), a state agency*
22 *receiving funding under this chapter shall seek to achieve wildlife*
23 *conservation objectives through projects on public lands or*
24 *voluntary projects on private lands. Funds may be used for*
25 *payments for the creation of measurable habitat improvements or*
26 *other improvements to the condition of endangered or threatened*
27 *species, including through the development and implementation*
28 *of habitat credit exchanges.*

29 (b) *This section shall not apply to Article 2 (commencing with*
30 *Section 5881).*

31 5880.08. (a) ~~The~~ *The proceeds of bonds issued and sold pursuant*
32 *to this chapter shall be deposited in the California Parks, Water,*
33 *Climate, and Coastal Protection and Outdoor Access For All Fund,*
34 *which is hereby created in the State Treasury.*

35 (b) ~~Proceeds of bonds issued and sold pursuant to this chapter~~
36 ~~shall be allocated according to the following schedule:~~

37 (1) ~~Nine hundred ninety-five million dollars (\$995,000,000) for~~
38 ~~purposes of Article 2 (commencing with Section 5881).~~

39 (2) ~~One billion fifty-five million dollars (\$1,055,000,000) for~~
40 ~~purposes of Article 3 (commencing with Section 5882), Article 4~~

1 ~~(commencing with Section 5883), Article 5 (commencing with~~
2 ~~Section 5884), and Article 6 (commencing with Section 5885).~~

3 ~~(3) One billion seventy million dollars (\$1,070,000,000) for~~
4 ~~purposes of Article 7 (commencing with Section 5886), Article~~
5 ~~7.5 (commencing with Section 5887), and Article 8 (commencing~~
6 ~~with Section 5888).~~

7 5880.09. The Legislature may enact legislation necessary to
8 implement programs funded by this chapter.

9
10 Article 2. Investments in Environmental and Social Equity,
11 Enhancing California's Disadvantaged Communities
12

13 5881. (a) ~~Pursuant to Section 5880.08, the~~ *The* sum of nine
14 hundred ninety-five million dollars (\$995,000,000) shall be
15 available to the department, upon appropriation by the Legislature,
16 for the creation and expansion of safe neighborhood parks in
17 park-poor neighborhoods in accordance with the Statewide Park
18 Development and Community Revitalization Act of 2008's
19 competitive grant program described in Chapter 3.3 (commencing
20 with Section 5640).

21 (b) When developing or revising criteria or guidelines for the
22 grant program, the department may consider the population
23 densities of an applicant in relation to countywide populations,
24 comparative income levels, and other poverty-related factors that
25 are relative to regionwide statistics.

26
27 Article 3. Investments in Protecting, Enhancing, and Accessing
28 California's Local and Regional Outdoor Spaces
29

30 5882. For purposes of this article, "district" means any regional
31 park district, regional park and open-space district, or regional
32 open-space district formed pursuant to Article 3 (commencing
33 with Section 5500) of Chapter 3, any recreation and park district
34 formed pursuant to Chapter 4 (commencing with Section 5780),
35 or any authority formed pursuant to Division 26 (commencing
36 with Section 35100). With respect to any community or
37 unincorporated region that is not included within a district, and in
38 which no city or county provides parks or recreational areas or
39 facilities, "district" also means any other entity, including, but not
40 limited to, a district operating multiple-use park lands pursuant to

Division 20 (commencing with Section 71660) of the Water Code, that is authorized by statute to operate and manage parks or recreational areas or facilities, employs a full-time park and recreation director, offers year-round park and recreation services on land and facilities owned by the entity, and allocates a substantial portion of its annual operating budget to parks or recreation areas or facilities.

5882.01. (a) ~~Pursuant to Section 5880.08, the~~ *The* sum of four hundred fifty million dollars (\$450,000,000) shall be available to the department, upon appropriation by the Legislature, for local park rehabilitation and improvement grants to local governments on a per capita basis. Grant recipients shall be encouraged to utilize awards to rehabilitate existing infrastructure and to address deficiencies in neighborhoods lacking access to the outdoors.

(b) Pursuant to Section 5880.08, the sum of thirty-five million dollars (\$35,000,000) shall be available to the department, upon appropriation by the Legislature, for grants to cities and districts in urbanized counties providing park and recreation services within jurisdictions of 200,000 or less in population. For purposes of this subdivision, “urbanized county” means a county with a population for 500,000 or greater. An entity eligible to receive funds under this subdivision shall also be eligible to receive funds available under subdivision (a).

(c) Unless the entity has been identified as a disadvantaged community, an entity that receives an award pursuant to this section shall be required to provide a match of 20 percent as a local share.

5882.02. (a) (1) The department shall allocate 60 percent of the funds available pursuant to subdivision (a) of Section 5882.01 to cities and districts, other than a regional park district, regional park and open-space district, open-space authority, or regional open-space district. Each city’s and district’s allocation shall be in the same ratio as the city’s or district’s population is to the combined total of the state’s population that is included in incorporated and unincorporated areas within the county, except that each city or district shall be entitled to a minimum allocation of two hundred fifty thousand dollars (\$250,000). If the boundary of a city overlaps the boundary of a district, the population in the overlapping area shall be attributed to each jurisdiction in proportion to the extent to which each operates and manages parks and recreational areas and facilities for that population. If the

1 boundary of a city overlaps the boundary of a district, and in the
2 area of overlap the city does not operate and manage parks and
3 recreational areas and facilities, all grant funds for that area shall
4 be allocated to the district.

5 (2) On or before April 1, 2018, a city and a district that are
6 subject to paragraph (1), and whose boundaries overlap, shall
7 collaboratively develop and submit to the department a specific
8 plan for allocating the grant funds in accordance with the formula
9 specified in paragraph (1). If, by that date, the plan has not been
10 developed and submitted to the department, the director shall
11 determine the allocation of the grant funds between the affected
12 jurisdiction.

13 (b) (1) The department shall allocate 40 percent of the funds
14 available pursuant to subdivision (a) of Section 5882.01 to counties
15 and regional park districts, regional park and open-space districts,
16 open-space authorities formed pursuant to Division 26
17 (commencing with Section 35100), and regional open-space
18 districts formed pursuant to Article 3 (commencing with Section
19 5500) of Chapter 3.

20 (2) Each county's allocation under paragraph (1) shall be in the
21 same ratio that the county's population is to the total state
22 population, except that each county shall be entitled to a minimum
23 allocation of five hundred thousand dollars (\$500,000).

24 (3) In any county that embraces all or part of the territory of a
25 regional park district, regional park and open-space district,
26 open-space authority, or regional open-space district, and whose
27 board of directors is not the county board of supervisors, the
28 amount allocated to the county shall be apportioned between that
29 district and the county in proportion to the population of the county
30 that is included within the territory of the district and the population
31 of the county that is outside the territory of the district.

32 (c) For the purpose of making the calculations required by this
33 section, population shall be determined by the department, in
34 cooperation with the Department of Finance, on the basis of the
35 most recent verifiable census data and other verifiable population
36 data that the department may require to be furnished by the
37 applicant city, county, or district.

38 (d) The Legislature intends all recipients of funds pursuant to
39 subdivision (a) of Section 5882.01 to use those funds to supplement
40 local revenues in existence on the effective date of the act adding

1 this chapter. To receive an allocation pursuant to subdivision (a)
2 of Section 5882.01, the recipient shall not reduce the amount of
3 funding otherwise available to be spent on parks or other projects
4 eligible for funds under this chapter in its jurisdiction. A one-time
5 allocation of other funding that has been expended for parks or
6 other projects, but which is not available on an ongoing basis, shall
7 not be considered when calculating a recipient's annual
8 expenditures. For purposes of this subdivision, the Controller may
9 request fiscal data from recipients for the preceding three fiscal
10 years. Each recipient shall furnish the data to the Controller no
11 later than 120 days after receiving the request from the Controller.

12 5882.04. (a) The director of the department shall prepare and
13 adopt criteria and procedures for evaluating applications for grants
14 allocated pursuant to subdivision (a) of Section 5882.01. The
15 application shall be accompanied by certification that the project
16 is consistent with the park and recreation element of the applicable
17 city or county general plan or the district park recreation plan, as
18 the case may be.

19 (b) To utilize available grant funds as effectively as possible,
20 overlapping and adjoining jurisdictions and applicants with similar
21 objectives are encouraged to combine projects and submit a joint
22 application. A recipient may allocate all or a portion of its per
23 capita share for a regional or state project.

24 5882.05. (a) The director of the department shall annually
25 forward a statement of the total amount to be appropriated each
26 fiscal year for projects approved for grants pursuant to this article
27 to the Director of Finance for inclusion in the annual Budget Act.
28 A list of eligible jurisdictions and the amount of grant funds to be
29 allocated to each jurisdiction shall also be made available by the
30 department.

31 (b) Funds appropriated pursuant to this article shall be
32 encumbered by the recipient within three years from the date the
33 appropriation is effective. Regardless of the date of encumbrance
34 of the granted funds, the recipient is expected to complete all
35 funded projects within eight years of the effective date of the
36 appropriation.

37 ~~5882.06. Pursuant to Section 5880.08, the~~ The sum of one
38 hundred twenty million dollars (\$120,000,000) shall be available
39 to the department, upon appropriation by the Legislature, for grants
40 to regional park districts, counties, regional open-space districts,

1 open-space authorities formed pursuant to Division 26
2 (commencing with Section 35100), and eligible nonprofit
3 organizations on a competitive grant basis to expand, rehabilitate,
4 or restore parks and park facilities, including trails, that facilitate
5 new or enhanced use and enhanced user experiences.

6
7 Article 4. Restoring California's Natural, Historic, and Cultural
8 Legacy
9

10 5883. (a) ~~Pursuant to Section 5880.08, the~~ *The* sum of three
11 hundred fifty million dollars (\$350,000,000) shall be available to
12 the department, upon appropriation by the Legislature, for
13 restoration and preservation of existing state park facilities and
14 units to preserve and increase public access to those facilities and
15 units and to protect the natural, cultural, and historic resources of
16 those facilities and units. Not less than 80 percent of these funds
17 shall be available for capital improvements that address the
18 department's backlog of deferred maintenance or that enhance
19 park access and user experiences.

20 (b) Of the total amount available pursuant to this section, the
21 sum of twenty million dollars (\$20,000,000) shall be available for
22 enterprise projects that facilitate new or enhanced park use and
23 user experiences and increase revenue generation to support
24 operations of the department.

25 (c) Of the total amount available pursuant to this section, the
26 sum of twenty million dollars (\$20,000,000) shall be available to
27 the department for grants to local agencies that operate a unit of
28 the state park system to address an urgent need for the restoration
29 of aging infrastructure that, without restoration, would compromise
30 the continued operation of the unit. Unless a local agency has been
31 identified as a disadvantaged community, a local agency that
32 receives a grant pursuant to this subdivision shall be required to
33 provide a match of not less than 25 percent.

34 (d) Of the total amount available pursuant to this section, the
35 sum of seventy million dollars (\$70,000,000) shall be available to
36 the department according to the following schedule and subject to
37 Section 5883.02 to address major infrastructure rehabilitation to
38 improve tourism and visitor experiences and to promote the health
39 and safety of units within the state park system:

1 (1) Ten million dollars (\$10,000,000) to implement a Central
2 Valley State Park Program. In order to be eligible under this
3 paragraph, a park shall be located in a county within the central
4 valley from the County of Sacramento south to the base of the
5 Tehachapi Mountain Range.

6 (2) Ten million dollars (\$10,000,000) to implement a Central
7 Coast State Park Program. In order to be eligible under this
8 paragraph, a park shall be located in the County of Ventura.

9 (3) Fifteen million dollars (\$15,000,000) to implement an East
10 Bay State Park Program.

11 (4) Ten million dollars (\$10,000,000) to implement a High
12 Desert-Coachella Valley State Park Program.

13 (5) Ten million dollars (\$10,000,000) to implement an Inland
14 Empire State Park Program.

15 (6) Fifteen million dollars (\$15,000,000) to implement a San
16 Diego State Park Program. Priority may be given to projects
17 bordering a national estuary.

18 (e) Of the total amount available pursuant to this section, the
19 sum of fifty million dollars (\$50,000,000) shall be available to the
20 department for direct distribution to the twelve districts within the
21 department to address historic underinvestments in units of the
22 state park system.

23 5883.01. The department, in expending the funding available
24 under this article, shall endeavor, where practical, to partner with
25 cities, counties, nonprofit organizations, and nongovernmental
26 organizations to maximize leveraging opportunities to enhance
27 tourism, visitation, and visitor experiences.

28 5883.02. The funding available pursuant to subdivision (d) of
29 Section 5883 shall be allocated based on regional populations and
30 the demand for infrastructure repair and improvements.

31
32 Article 5. Trails and Waterfront Greenway Investment
33

34 5884. (a) ~~Pursuant to Section 5880.08, the~~ *The* sum of fifty
35 million dollars (\$50,000,000) shall be available to the Natural
36 Resources Agency, upon appropriation by the Legislature, for
37 competitive grants to local agencies, state conservancies, federally
38 recognized Native American tribes, nonfederally recognized
39 California Native American tribes listed on the California Tribal
40 Consultation List maintained by the Native American Heritage

1 Commission, and nonprofit organizations to provide nonmotorized
2 infrastructure development and enhancements that promote new
3 or alternate access to parks, waterways, outdoor recreational
4 pursuits, and forested or other natural environments to encourage
5 health-related commuting and opportunities for Californians to
6 reconnect with nature.

7 (b) Of the amount made available pursuant to this section, up
8 to 25 percent may be made available to communities for innovative
9 transportation programs that provide new and expanded outdoor
10 experiences to disadvantaged youth.

11 (c) Alignment, development, and improvement of nonmotorized
12 infrastructure and trails that lead to safer interconnectivity between
13 parks, waterways, and natural areas may be encouraged.

14 (d) The Natural Resources Agency is encouraged, when
15 designing guidelines, for grants awarded under this article, to utilize
16 existing program guidelines including, if applicable, guidelines
17 that have been established for the California Recreational Trails
18 Act (Article 6 (commencing with Section 5070) of Chapter 1).

19 5884.01. Unless the entity has been identified as a
20 disadvantaged community, an entity that receives an award under
21 this article shall be required to provide a match of 20 percent.

22
23 Article 6. Rural Recreation, Tourism, and Economic Enrichment
24 Investment
25

26 5885. (a) ~~Pursuant to Section 5880.08, the~~ The sum of fifty
27 million dollars (\$50,000,000) shall be available to the department,
28 upon appropriation by the Legislature, to administer a competitive
29 grant program for cities, counties, and districts in nonurbanized
30 areas, that are eligible for a grant under the Roberti-Z'berg-Harris
31 Urban Open-Space and Recreation Program Act (Chapter 3.2
32 (commencing with Section 5620)). Notwithstanding subdivisions
33 (c) and (e) of Section 5621 and for the purposes of this section,
34 the definition of nonurbanized area shall be updated by the
35 department to reflect current population levels. A nonurbanized
36 area shall include counties with populations of less than 500,000
37 people and low population densities per square mile, as determined
38 by the department. In awarding the grants, the department may
39 consider the following factors:

1 (1) Whether the project would provide new recreational
2 opportunities in rural communities that have demonstrated
3 deficiencies and lack of outdoor infrastructure in support of
4 economic and health-related goals.

5 (2) Whether the project proposes to acquire and develop lands
6 to enhance residential recreation while promoting the quality of
7 tourism experiences and the economic vitality of the community.
8 These enhancements may include accessibility for individuals with
9 disabilities, trails, bikeways, regional or destination-oriented
10 recreational amenities, and visitor centers.

11 (3) Whether the project includes collaboration between public
12 and nonprofit organizations, including, but not limited to, nonprofit
13 land trusts, to facilitate public access to privately-owned lands for
14 regional trail development for wildlife viewing, recreation, or
15 outdoor experiences for youth.

16 (b) Unless the entity has been identified as a disadvantaged
17 community, an entity that receives an award under this article shall
18 be required to provide a match of 20 percent.

19 (c) In addition to entities described in subdivision (a), an
20 irrigation district exercising powers authorized under Section 22185
21 of the Water Code is eligible for a grant under this article.

22
23 Article 7. California Clean Water, Coastal, and Watershed
24 Cobenefit Program
25

26 5886. (a) ~~Pursuant to Section 5880.08, the~~ *The* sum of two
27 hundred ten million dollars (\$210,000,000) shall be available to
28 the Natural Resources Agency, upon appropriation by the
29 Legislature, for grants pursuant to the California River Parkway
30 Act of 2004 (Chapter 3.8 (commencing with Section ~~5750~~)). *5750*)
31 *and the Urban Streams Restoration Program pursuant to Section*
32 *7048 of the Water Code.* Eligible projects shall include, but are
33 not limited to, projects that protect and enhance urban creeks.

34 (b) Unless the entity has been identified as a disadvantaged
35 community, an entity that receives an award under this article shall
36 be required to provide a match of 20 percent.

37 (c) To maximize cooperation and leverage resources, the Natural
38 Resources Agency may give priority to projects that include
39 partnerships among federal, state, and local agencies and to projects

1 proposed by nonprofit organizations, including, but not limited to,
2 nonprofit land trusts.

3 (d) ~~Notwithstanding any other provision of this division,~~
4 ~~not less than 50 percent of the amount made available appropriated~~
5 ~~by the Legislature~~ pursuant to this section shall be ~~allocated~~ for
6 project grants ~~to protect and enhance for the protection and~~
7 ~~enhancement of~~ an urban creek, as defined in subdivision (e) of
8 Section 7048 of the Water Code, and its tributaries, ~~and expended~~
9 pursuant to Division 22.8 (commencing with Section 32600),
10 Division 23 (commencing with Section 33000), and Section 79508
11 of the Water Code. Money ~~allocated appropriated~~ pursuant to this
12 subdivision shall be equally divided between projects in areas
13 described in Division 22.8 (commencing with Section 32600) and
14 projects in areas described in Division 23 (commencing with
15 Section 33000). *Projects serving disadvantaged communities shall*
16 *have priority for funding under this subdivision.*

17 (e) *Of the amount made available pursuant to subdivision (a),*
18 *_____ dollars (\$_____) shall be available for purposes of the Lower*
19 *American River Conservancy Program or the American River*
20 *Parkway Plan, as defined in Section 5841.*

21 (e)

22 (f) ~~Not less than 5~~ _____ percent of the amount made available
23 pursuant to this section shall be allocated to the Santa Ana River
24 Program pursuant to Chapter 4.6 (commencing with Section 31170)
25 of Division 21.

26 5886.02. _____ dollars (\$_____) shall be available, upon
27 appropriation by the Legislature, to implement the Urban Streams
28 Restoration Program for streams not otherwise eligible for funding
29 pursuant to this article.

30 5886.04. _____ dollars (\$_____) shall be available to the Natural
31 Resources Agency, upon appropriation by the Legislature, for
32 existing multi-benefit urban streams projects that are not otherwise
33 eligible for funding pursuant to this article.

34 5886.06. *The Natural Resources Agency is encouraged, when*
35 *developing guidelines for grants awarded under this article, to*
36 *utilize existing programs, including, but not limited to, the urban*
37 *streams program through which communities enter into*
38 *partnerships with state agencies for multibenefit projects to*
39 *enhance and restore waterways.*

Article 7.5. State Conservancy Funding

5887. Pursuant to Section 5880.08, the sum of two hundred forty-five million _____ dollars (~~\$245,000,000~~) (\$____) shall be available, upon appropriation by the Legislature, in accordance with the following schedule, to fulfill the purposes of the specified entity:

(a) Baldwin Hills Conservancy, five million dollars (\$5,000,000).

(b) California Tahoe Conservancy, seventeen million five hundred thousand dollars (\$17,500,000).

(c) Coachella Mountains Conservancy, ten million dollars (\$10,000,000).

(d) Sacramento-San Joaquin Delta Conservancy, fifteen million dollars (\$15,000,000).

(e) Salton Sea Authority, twenty-five million dollars (\$25,000,000). *These moneys shall be for capital outlay projects that provide air quality and habitat benefits and that implement the Natural Resources Agency's Salton Sea Management Program.*

(f) San Diego River Conservancy, fifteen million dollars (\$15,000,000).

(g) San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, twenty-five million dollars (\$25,000,000).

(h) San Joaquin River Conservancy, ten million dollars (\$10,000,000).

(i) Santa Monica Mountains Conservancy, ~~twenty~~ twenty-five million dollars (~~\$20,000,000~~). (\$25,000,000).

(j) Sierra Nevada Conservancy, twenty-two million five hundred thousand dollars (\$22,500,000).

(k) State Coastal Conservancy, eighty million dollars (\$80,000,000). Of this amount, not less than 40 percent shall go toward the San Francisco Bay Area Conservancy Program (Chapter 4.5 (commencing with Section 31160) of Division 21).

5887.01. *It is the intent of the Legislature to increase the funding specified in Section 5887 to an amount above two hundred fifty million dollars (\$250,000,000).*

5887.02. The Legislature shall strive to consider population size, land mass, and natural resource significance as factors when determining the amount of any other funds to be made available to an entity listed in Section 5887.

5887.03. A receiving entity in Section 5887 shall develop and adopt a strategic master plan that identifies priorities and specific criteria for selecting projects for funding. The strategic plan shall include strategies for providing public access to conserved lands wherever feasible and be consistent with project goals and objectives.

5887.04. Conservancies, in expending the funding available under this article, shall endeavor, where practical, to partner with cities, counties, nonprofit organizations, and nongovernmental organizations to acquire open space and create urban greenway corridors.

Article 8. Climate Preparedness and Habitat Resiliency

~~Pursuant to Section 5880.08, the~~ The sum of ~~six hundred fifteen million~~ dollars ~~(\$615,000,000)~~ (\$) shall be available, upon appropriation by the Legislature, to plan, develop, and implement climate adaptation and resiliency projects that improve a community's ability to adapt to the unavoidable impacts of climate change. Projects shall improve and protect coastal and rural economies, agricultural viability, wildlife corridors, or habitat, develop future recreational opportunities, or enhance drought tolerance and water retention, in accordance with the following schedule:

(a) (1) ~~Three hundred forty million~~ dollars ~~(\$340,000,000)~~ (\$) shall be available to the Wildlife Conservation Board for grants for any of the following:

(A) Projects for the acquisition, development, rehabilitation, restoration, protection, and expansion of wildlife corridors and open space, including projects to improve connectivity and reduce barriers between habitat areas. In awarding grants pursuant to this subparagraph, special consideration may be given to projects that protect state-designated wildlife ~~corridors~~. *corridors and wildlife corridors threatened by urban development.*

(B) Projects for the acquisition, development, rehabilitation, restoration, protection, and expansion of habitat that promote the recovery of threatened and endangered species.

(C) Projects to improve climate adaptation and resilience of natural systems.

(D) Projects to protect and improve existing open-space corridors and trail linkages related to utility or transportation infrastructure that provide habitat connectivity and public access or trails.

(2) Applications submitted pursuant to this subdivision that promote projects seeking to preserve the working character of lands, including uninterrupted agricultural and rangeland practices, through conservation easements, may be given additional consideration.

(3) Of the amount subject to this subdivision, ~~fifty-five million~~ _____ dollars ~~(\$55,000,000)~~ (\$____) shall be available for the acquisition, development, rehabilitation, restoration, protection, and expansion of habitat that furthers the implementation of adopted natural community conservation ~~plans~~ *plans, as set forth in the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code)*, to help resolve resource conflicts by balancing communitywide conservation, planning, and economic activities. *It is the intent of the Legislature to increase the funding specified in this paragraph to an amount above fifty-five million dollars (\$55,000,000).*

(4) Of the amount subject to this subdivision, ten million dollars (\$10,000,000) shall be administered through the Department of Fish and Wildlife for competitive grants to wildlife rehabilitation facilities operated by nongovernmental entities.

(5) *It is the intent of the Legislature to increase the funding specified in paragraph (1) to an amount above three hundred forty million dollars (\$340,000,000).*

(b) Eighty million dollars (\$80,000,000) shall be available for deposit into the California Climate Resilience Account, established pursuant to Section 31012, for projects that assist coastal communities, including those reliant on commercial fisheries, with adaptation to climate change, including projects that address ocean acidification, sea level rise, or the protection of habitat associated with the Pacific Flyway.

(c) Fifteen million dollars (\$15,000,000) shall be available for projects that improve agricultural and open-space soil health, to improve carbon soil sequestration, erosion control, water quality, and water ~~retention~~. *retention, which may in part be allocated to the Department of Conservation for watershed restoration and*

1 *conservation projects on agricultural lands pursuant to Section*
2 *9084.*

3 (d) (1) Sixty million dollars (\$60,000,000) shall be available
4 for projects that reduce fire risk, improve forest health, and provide
5 feedstock for compost, energy, or alternative fuels facilities.
6 Projects may include, but are not limited to, forest restoration
7 projects that include hazardous fuel reduction, post-fire watershed
8 rehabilitation, and forest management practices that promote forest
9 resilience to wildfire, climate change, and other disturbances.
10 Unless otherwise specified by the Legislature, project funds shall
11 be equally administered by the Department of Forestry and Fire
12 Protection and by the Sierra Nevada Conservancy.

13 (2) Of the amount subject to this subdivision, up to five million
14 dollars (\$5,000,000) shall be available from the Department of
15 Forestry and Fire Protection to the California Tahoe Conservancy
16 for projects consistent with this subdivision.

17 (e) _____ dollars (\$____) shall be available to the Department
18 of Forestry and Fire Protection for existing urban forestry
19 programs and priority shall be given to local governments that
20 have not previously been awarded a grant under an existing urban
21 forestry program.

22 ~~(e)~~

23 (f) Forty million dollars (\$40,000,000) shall be available to the
24 California Conservation Corps for projects to rehabilitate or
25 improve parks and restore watersheds, including regional and
26 community fuel load reduction projects on public lands, and stream
27 and river restoration projects. Not less than 50 percent of these
28 funds shall be in the form of grants to certified local community
29 conservation corps, as defined in Section 14507.5, including local
30 community conservation corps that have secured certification
31 within the last three to five years prior to the grant application
32 date.

33 ~~(f)~~

34 (g) (1) Eighty million dollars (\$80,000,000) shall be available
35 to the Natural Resources Agency, upon appropriation by the
36 Legislature, to award funding to projects identified by local
37 agencies, nongovernmental land conservation organizations,
38 federally recognized Native American tribes, or nonfederally
39 recognized California Native American tribes listed on the

1 California Tribal Consultation list maintained by the Native
2 American Heritage Commission for any of the following:

3 (A) Projects that involve the restoration, protection, and
4 acquisition of natural, cultural, and historic resources within the
5 state.

6 (B) Projects that convert and repurpose properties formerly
7 operating as fossil fuel power plants to create permanently
8 protected open space, tourism, and park opportunities through fee
9 title and conservation easements.

10 (C) Projects that enhance water and natural resource values or
11 promote economic activity through improved recreation, tourism,
12 and natural resource investment in those areas of the state not
13 within the jurisdiction of a state conservancy.

14 (2) Before a grant is awarded pursuant to this subdivision, a
15 project applicant shall demonstrate availability to the applicant of
16 a minimum 20 percent match from other funds. Project applicants
17 shall be encouraged to leverage all available local, federal, and
18 nongovernmental sources to maximize funding distribution.

19 (h) _____ dollars (\$____) shall be available to the Ocean
20 Protection Council for purposes of carrying out its duties.

21
22 Article 9. Fiscal Provisions
23

24 5889. (a) Bonds in the total amount of ~~three billion one~~
25 ~~hundred twenty million~~ _____ dollars (~~\$3,120,000,000~~), (\$____),
26 not including the amount of any refunding bonds issued in
27 accordance with Section 5889.12, may be issued and sold to
28 provide a fund to be used for carrying out the purposes expressed
29 in this chapter and to reimburse the General Obligation Bond
30 Expense Revolving Fund pursuant to Section 16724.5 of the
31 Government Code. The bonds, when sold, shall be and constitute
32 a valid and binding obligation of the State of California, and the
33 full faith and credit of the State of California is hereby pledged
34 for the punctual payment of both the principal of, and interest on,
35 the bonds as the principal and interest become due and payable.

36 (b) The Treasurer shall sell the bonds authorized by the
37 committee pursuant to this section. The bonds shall be sold upon
38 the terms and conditions specified in a resolution to be adopted
39 by the committee pursuant to Section 16731 of the Government
40 Code.

1 5889.01. The bonds authorized by this chapter shall be
2 prepared, executed, issued, sold, paid, and redeemed as provided
3 in the State General Obligation Bond Law (Chapter 4 (commencing
4 with Section 16720) of Part 3 of Division 4 of Title 2 of the
5 Government Code), and all of the provisions of that law apply to
6 the bonds and to this chapter.

7 5889.02. (a) Solely for the purpose of authorizing the issuance
8 and sale, pursuant to the State General Obligation Bond Law
9 (Chapter 4 (commencing with Section 16720) of Part 3 of Division
10 4 of Title 2 of the Government Code), of the bonds authorized by
11 this chapter, the California Parks, Water, Climate, and Coastal
12 Protection and Outdoor Access For All Finance Committee is
13 hereby created. For purposes of this chapter, the California Parks,
14 Water, Climate, and Coastal Protection and Outdoor Access For
15 All Finance Committee is the “committee” as that term is used in
16 the State General Obligation Bond Law.

17 (b) The committee consists of the Director of Finance, the
18 Treasurer, and the Controller. Notwithstanding any other provision
19 of law, any member may designate a representative to act as that
20 member in his or her place for all purposes, as though the member
21 were personally present.

22 (c) The Treasurer shall serve as the chair of the committee.

23 (d) A majority of the committee may act for the committee.

24 5889.03. The committee shall determine whether or not it is
25 necessary or desirable to issue bonds authorized by this chapter in
26 order to carry out the actions specified in this chapter and, if so,
27 the amount of bonds to be issued and sold. Successive issues of
28 bonds may be authorized and sold to carry out those actions
29 progressively, and it is not necessary that all of the bonds
30 authorized to be issued be sold at any one time.

31 5889.04. For purposes of the State General Obligation Bond
32 Law, “board,” as defined in Section 16722 of the Government
33 Code, means the Secretary of the Natural Resources Agency.

34 5889.05. There shall be collected each year and in the same
35 manner and at the same time as other state revenue is collected,
36 in addition to the ordinary revenues of the state, a sum in an amount
37 required to pay the principal of, and interest on, the bonds each
38 year. It is the duty of all officers charged by law with any duty in
39 regard to the collection of the revenue to do and perform each and
40 every act that is necessary to collect that additional sum.

1 5889.06. Notwithstanding Section 13340 of the Government
2 Code, there is hereby appropriated from the General Fund in the
3 State Treasury, for the purposes of this chapter, an amount that
4 will equal the total of the following:

5 (a) The sum annually necessary to pay the principal of, and
6 interest on, bonds issued and sold pursuant to this chapter, as the
7 principal and interest become due and payable.

8 (b) The sum that is necessary to carry out the provisions of
9 Section 5889.09, appropriated without regard to fiscal years.

10 5889.07. The board may request the Pooled Money Investment
11 Board to make a loan from the Pooled Money Investment Account
12 in accordance with Section 16312 of the Government Code for the
13 purpose of carrying out this chapter less any amount withdrawn
14 pursuant to Section 5889.09. The amount of the request shall not
15 exceed the amount of the unsold bonds that the committee has, by
16 resolution, authorized to be sold for the purpose of carrying out
17 this chapter. The board shall execute those documents required by
18 the Pooled Money Investment Board to obtain and repay the loan.
19 Any amounts loaned shall be deposited in the fund to be allocated
20 in accordance with this chapter.

21 5889.08. Notwithstanding any other provision of this chapter,
22 or of the State General Obligation Bond Law, if the Treasurer sells
23 bonds that include a bond counsel opinion to the effect that the
24 interest on the bonds is excluded from gross income for federal
25 tax purposes under designated conditions or is otherwise entitled
26 to any federal tax advantage, the Treasurer may maintain separate
27 accounts for the bond proceeds invested and for the investment
28 earnings on those proceeds, and may use or direct the use of those
29 proceeds or earnings to pay any rebate, penalty, or other payment
30 required under federal law or take any other action with respect
31 to the investment and use of those bond proceeds, as may be
32 required or desirable under federal law in order to maintain the
33 tax-exempt status of those bonds and to obtain any other advantage
34 under federal law on behalf of the funds of this state.

35 5889.09. For the purposes of carrying out this chapter, the
36 Director of Finance may authorize the withdrawal from the General
37 Fund of an amount or amounts not to exceed the amount of the
38 unsold bonds that have been authorized by the committee to be
39 sold for the purpose of carrying out this chapter less any amount
40 borrowed pursuant to Section 5889.09. Any amounts withdrawn

1 shall be deposited in the fund. Any moneys made available under
2 this section shall be returned to the General Fund, with interest at
3 the rate earned by the moneys in the Pooled Money Investment
4 Account, from proceeds received from the sale of bonds for the
5 purpose of carrying out this chapter.

6 5889.10. All moneys deposited in the fund that are derived
7 from premium and accrued interest on bonds sold pursuant to this
8 chapter shall be reserved in the fund and shall be available for
9 transfer to the General Fund as a credit to expenditures for bond
10 interest, except that amounts derived from premiums may be
11 reserved and used to pay the cost of bond issuance prior to any
12 transfer to the General Fund.

13 5889.11. Pursuant to Chapter 4 (commencing with Section
14 16720) of Part 3 of Division 4 of Title 2 of the Government Code,
15 the cost of bond issuance shall be paid out of the bond proceeds,
16 including premiums, if any. To the extent the cost of bond issuance
17 is not paid from premiums received from the sale of bonds, these
18 costs shall be shared proportionately by each program funded
19 through this chapter by the applicable bond sale.

20 5889.12. The bonds issued and sold pursuant to this chapter
21 may be refunded in accordance with Article 6 (commencing with
22 Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of
23 the Government Code, which is a part of the State General
24 Obligation Bond Law. Approval by the voters of the state for the
25 issuance of the bonds under this chapter shall include approval of
26 the issuance of any bonds issued to refund any bonds originally
27 issued under this chapter or any previously issued refunding bonds.

28 5889.13. The proceeds from the sale of bonds authorized by
29 this chapter are not “proceeds of taxes” as that term is used in
30 Article XIII B of the California Constitution, and the disbursement
31 of these proceeds is not subject to the limitations imposed by that
32 article.

33 SEC. 2. (a) Notwithstanding the requirements of Sections
34 9040, 9043, 9044, 9061, and 9082 of the Elections Code, or any
35 other law, the Secretary of State shall submit this act to the voters
36 at the November 8, 2016, statewide general election.

37 (b) The Secretary of State shall include in the ballot pamphlets
38 mailed pursuant to Section 9094 of the Elections Code the
39 information specified in Section 9084 of the Elections Code
40 regarding the bond act contained in this act. If that inclusion is not

1 possible, the Secretary of State shall publish a supplemental ballot
2 pamphlet regarding this act to be mailed with the ballot pamphlet.
3 If the supplemental ballot pamphlet cannot be mailed with the
4 ballot pamphlet, the supplemental ballot pamphlet shall be mailed
5 separately.

6 (c) Notwithstanding Section 9054 of the Elections Code or any
7 other law, the translations of the ballot title and the condensed
8 statement of the ballot title required pursuant to Section 9054 of
9 the Elections Code may be made available for public examination
10 at a later date than the start of the public examination period for
11 the ballot pamphlet, provided that the translations of the ballot title
12 and the condensed statement of the ballot title must remain
13 available for public examination for eight days.

14 (d) Notwithstanding Section 13282 of the Elections Code or
15 any other law, the public shall be permitted to examine the
16 condensed statement of the ballot title for not more than eight days.
17 Any voter may seek a writ of mandate for the purpose of requiring
18 the condensed statement of the ballot title, or portion thereof, to
19 be amended or deleted only within that eight-day period.

20 SEC. 3. This act shall take effect upon approval by the voters
21 of the California Parks, Water, Climate, and Coastal Protection
22 and Outdoor Access For All Act, as set forth in Section 1 of this
23 act.

24 SEC. 4. This act is an urgency statute necessary for the
25 immediate preservation of the public peace, health, or safety within
26 the meaning of Article IV of the Constitution and shall go into
27 immediate effect. The facts constituting the necessity are:

28 In order to fund a California parks, water, climate, and coastal
29 protection and outdoor access for all program at the earliest
30 possible date, it is necessary that this act take effect immediately.